

## Message Text

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ACTION EB-07

INFO OCT-01 AF-08 ISO-00 COME-00 TRSE-00 OMB-01 OPIC-03

SCS-03 SCA-01 L-03 AID-05 CIAE-00 DODE-00 PM-04 H-01

INR-07 NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15

USIA-06 /074 W

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R 071514Z DEC 76

FM AMEMBASSY ADDIS ABABA

TO SECSTATE WASHDC 1938

INFO AMEMBASSY OSLO

AMEMBASSY NAIROBI

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E.O. 11652: N/A

TAGS: EINV ET

SUBJ: EXPROPRIATION CASE: MOSVOLD DEPARTMENT STORE

REF: STATE 282973

1. AS REQUESTED REFTEL, ECONOMIC/COMMERCIAL COUNSELOR MET WITH ATO WOLLE CHEKOL, HEAD ECONOMIC AND CULTURAL AFFAIRS DEPARTMENT, MOFA, ON NOVEMBER 23 TO REQUEST INFORMATION AS OUTLINED IN PARA 2 A AND C AND PARA 3 (COMMENT: PARA 2 B DID NOT SEEM WITHIN ATO WOLLE'S COMPETENCE TO ANSWER. PAR 2 D DISCUSSED BELOW). ATO WOLLE AGREED TO LOOK INTO THE MATTER AND GET IN TOUCH WITH EMBASSY. HE POINTED OUT, HOWEVER, THAT HE HAD TO ATTEND THE OAU COUNCIL OF MINISTERS' MEETING IN KINSHASA AND, CONSEQUENTLY, WOULD PROBABLY NOT BE ABLE TO PROVIDE ANY INFORMATION UNTIL WEEK OF DECEMBER 13. EMBASSY THUS FAR HAS NOT HEARD FROM HIM.

2. ON DECEMBER 7 ECONOMIC/COMMERCIAL COUNSELOR DISCUSSED THE MOSVOLD CASE WITH DR. ASHAGRE YIGLETU, PERMANENT SECRETARY AND ACTING MINISTER, MINISTRY OF COMMERCE AND TOURISM. DR. ASHAGRE STATED THAT HE WOULD PROVIDE ANSWERS TO QUESTIONS (WHICH WERE SAME AS THOSE LEFT WITH ATO WOLLE) IN WRITING "VERY SOON". DR. SHAGRE STRESSED HIS INTEREST IN MAINTAINING GOOD RELATIONS WITH FRIENDLY COUNTRIES" SUCH AS THE US AND NORWAY AND EXPRESSED HIS

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REGRET THAT CONFISCATION MOSVOLD BECAME "NECESARY. HE ALSO

CLAIMED THAT THE FIRM HAD BEEN VERY POORLY MANAGED OVER THE PAST YEAR OR SO AND THAT WHEN THE ETHIOPIAN GOVERNMENT CONFISCATED THE FIRM IT FOUND AN "EMPTY CASH BOS". CONSEQUENTLY, HE HAD TO ARRANGE FOR AN IMMEDIATE OVERDRAFT OF 500,000.00 BIRR IN ORDER TO KEEP THE DEPARTMENT SOTRE OPEN.

3. WITH RESPECT TO PARA 2 D ECONOMIC/COMMERCIAL COUNSELOR CONSULTED INFORMALLY WITH PRICE WATER HOUSE, PREVIOUSLY MOSVOLD'S ACCOUNTANTS, REGARDING ATTORNEYS WHO WOULD BE PREPARED TO UNDERTAKE THE MOSVOLD CASE. IN JUDGEMENT OF PRICE WATER HOUSE, NICOLAS HAMAWI, WHO WAS ONCE ATTORNEY FOR MOSVOLD, IS PROBABLY THE ONLY ATTORNEY WHO WOULD CONSIDER ASSUMING THE CASE INVIEW OF RISKS ASSOCIATED WITH DEFENDING MOSVOLD. OTHER ATTORNEYS WOULD PROBABLY BE RELUCTANT TO GET INVOLVED OWING TO ITS CONTROVERSIAL NATURE AND HIGHLY POLITICAL COMPLEXION. EMBASSY AGREES WITH THIS JUDGEMENT AND SEES NO POINT IN PROVIDING THE USUAL LIST OF ATTORNEYS FROM COUNSELOR SECTION TO MOSVOLD.

4. COMMENT: ECONOMIC/COMMERCIAL COUNSELOR EXPERIENCED NO DIFFICULTY IN ARRANGING APPOINTMENT WITH DR. ASHAGRE AND FOUND ASHAGR'S ATTITUDE SURPRISINGLY FORTHCOMING AND FRIENDLY. THERE IS NO DOUBT THAT ASHAGRE UNDERSTANDS THAT THE USG'S INTEREST IN THIS MATTER RELATES TO DUE PROCESS UNDER ETHIOPIAN LAW FOR MOSVOLD. IT REMAINS TO BE SEEN, HOWEVER, IF HE WILL BE ABLE TO SHOW THAT DUE PROCESS HAS BEEN FOLLOWED IN THIS CASE OR ADVISE WHAT FURTHER STEPS MAY BE AVAILABLE TO MOSVOLD INTERESTS IN DEFENDING THEIR RIGHTS.  
TIENKEN

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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** NATIONALIZATION, NEGOTIATIONS, PLANNING MEETINGS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 07 DEC 1976  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** izenbei0  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1976ADDIS12168  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Film Number:** D760452-0898  
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**Office:** ACTION EB  
**Original Classification:** LIMITED OFFICIAL USE  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
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**Previous Channel Indicators:** n/a  
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**Reference:** 76 STATE 282973  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** izenbei0  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 06 MAY 2004  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <06 MAY 2004 by ifshinsr>; APPROVED <26 AUG 2004 by izenbei0>  
**Review Markings:**

Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
04 MAY 2006

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** EXPROPRIATION CASE: MOSVOLD DEPARTMENT STORE  
**TAGS:** EINV, ET, NO, MOSVOLD  
**To:** STATE  
**Type:** TE  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006